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Docket No. 0165-279

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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11/20/01
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In re Patent Application of:)
Bunji INAGAKI et al.) Group Art Unit: 2872
Serial No. 09/752,836) Examiner: M. Robinson
Filed: 01/03/2001)
For: VEHICLE MIRROR ASSEMBLY AND)
METHOD FOR ASSEMBLING THE)
SAME)

TECHNICAL STAFF
11/20/01
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**PROVISIONAL ELECTION AND TRAVERSAL
OF RESTRICTION REQUIREMENT**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed October 16, 2001, applicants provisionally elect claims 7-20 (Group II), directed to a method of assembling a mirror assembly.

However, applicants respectfully traverse this Restriction Requirement between claims 1-6 (Group I) which are drawn to a mirror assembly, and claims 7-20 (Group II) which are directed toward a method for assembling such a mirror.

The Examiner admits that the subject matter of the two groups of claims is classified in exactly the same area of art (i.e., Class 359, Subclass 872). Hence, there is absolutely no additional burden on the Examiner with respect to either the search or the examination of all of the claims.

The sole basis for the outstanding Restriction Requirement is the Examiner's contention that the mirror assembly may be made by assembling the components in a different order or fashion than that defined by the claimed method. Applicants respectfully traverse this contention. Claim 1 recites a vehicle mirror assembly comprising (a) a mirror having a back surface and an outer peripheral surface and (b) a mirror visor supporting the mirror, wherein the mirror visor has a visor cover opposing the back surface of the mirror, and a visor rim covering the outer peripheral surface of the mirror. Claim 7 recites a method for assembling a vehicle

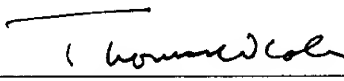
mirror assembly:

wherein the assembly includes a mirror having an outer peripheral surface and a back surface, a mirror visor having a visor cover for covering the back surface of the mirror, and a visor rim for covering the outer peripheral surface of the mirror . . .

The preamble of the only other independent method claim (i.e., claim 15) recites the same limitations as above. As both independent method claims recite all of the elements of the mirror assembly recited in claims 1-6 in their respective preambles, it is simply not true that the claimed method can be used to “make other and materially different product . . .,” or that the product as claimed “can be made by another and materially different process . . .”

In view of the near complete overlappage of the subject matter between the two groups of claims, and the fact that both groups of claims are classified in exactly the same art, applicants respectfully request the Examiner to reconsider and withdraw this Restriction Requirement.

Respectfully submitted,



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